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Social and human rights questions: human rights

Situation of human rights in East Timor

Administrative and programme budget implications of Commission on Human Rights resolution 1999/S-4/1

Statement submitted by the Secretary-General in accordance with rule 31 of the rules of procedure of the Economic and Social Council

1. At its fourth special session, held at Geneva from 23 to 27 September 1999, the Commission on Human Rights adopted resolution 1999/S-4/1 on the situation of human rights in East Timor. The Commission was provided with an oral statement of the administrative and programme budget implications of the draft resolution which indicated, *inter alia*, that cost estimates were preliminary and that detailed financial requirements would be determined after the composition, the terms of reference and the procedures of the commission of inquiry had been decided upon.

A. Requests contained in Commission resolution 1999/S-4/1

2. In paragraph 6 of its resolution 1999/S-4/1, the Commission on Human Rights called upon the Secretary-General to establish an international commission of inquiry, with adequate representation of Asian experts, in order, in cooperation with the Indonesian National Commission on Human Rights and thematic rapporteurs, to gather and compile systematically information on possible violations of human rights and acts which may constitute breaches of international humanitarian law committed in East Timor since the announcement in January 1999 of the vote and to provide the Secretary-General with its conclusions with a view to enabling him to make recommendations on future actions, and to make the report of the commission of inquiry available to the Security Council, the General Assembly and the Commission on Human Rights at its fifty-sixth session.

3. In paragraph 7 (a), the Commission on Human Rights decided to request the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Representative of the Secretary-General on internally displaced persons, the Special Rapporteur on the question

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of torture, the Special Rapporteur on violence against women, its causes and consequences, and the Working Group on Enforced or Involuntary Disappearances to carry out missions to East Timor and report on their findings to the Commission at its fifty-sixth session and, on an interim basis, to the General Assembly at its fifty-fourth session.

4. In paragraph 7 (c), the Commission on Human Rights decided to request the United Nations High Commissioner for Human Rights to prepare a comprehensive programme of technical cooperation in the field of human rights, in cooperation with other United Nations activities, focusing especially on capacity-building and reconciliation with a view to a durable solution to the problems in East Timor.

B. Modification of the approved programme budget for the biennium 1998-1999 and the proposed programme budget for the biennium 2000-2001

5. The activities referred to above fall under programme 19, Human rights, of the medium-term plan for the period 1998-2001, as revised (A/52/6/Rev.1), and section 22, subprogramme 3, Human rights: advisory services, technical cooperation, support to human rights fact-finding procedures and field activities of the programme budget for the biennium 1998-1999 and the proposed programme budget for the biennium 2000-2001 (A/52/6/Rev.1 and A/54/6/Rev.1, respectively).

6. In order to reflect the provisions of the resolution, the narrative of section 22 of the programme budget for the biennium 1998-1999 and the proposed programme budget for the biennium 2000-2001 would be modified as follows:

Subprogramme 3
Advisory services, technical cooperation, support to human rights fact-finding procedures and field activities

Outputs for 1998-1999

Paragraph 22.57 (A/52/6/Rev.1)

(a) *Servicing of intergovernmental and expert bodies (RB/AB)*

(ii) Parliamentary documentation

General Assembly

Replace fourteen with fifteen and add: one interim report on the situation of human rights in East Timor by the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Representative of the Secretary-General on internally displaced persons, the Special Rapporteur on the question of torture, the Special Rapporteur on violence against women, its causes and consequences, and the Working Group on Enforced or Involuntary Disappearances.

(iii) Other services provided

Add: and the commission of inquiry on the situation of human rights in East Timor.

(d) *Technical cooperation (RB/XB)*

Add:

(v) Preparation of comprehensive programme of technical cooperation in the field of human rights for East Timor, in cooperation with other United Nations entities, focusing especially on capacity-building and reconciliation.

Outputs for 2000-2001

Paragraph 22.79 (A/54/6/Rev.1)

(a) *Servicing of intergovernmental and expert bodies*

(ii) Parliamentary documentation.

c. Commission on Human Rights.

Replace forty with forty-one and add: one report on the situation of human rights in East Timor by the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Representative of the Secretary-General on internally displaced persons, the Special Rapporteur on the question of torture, the Special Rapporteur on violence against women, its causes and consequences, and the Working Group on Enforced or Involuntary Disappearances.

C. Activities by which the requests would be implemented

7. During the biennium 1998-1999, it is anticipated that:

(a) The commission of inquiry would undertake two 14-day missions that would include travel to East Timor, Darwin (Australia), Jakarta and, as necessary, western Timor to gather and compile information on possible violations of human rights and acts which may constitute breaches of international humanitarian law. The commission would be assisted by a Secretariat team consisting of five Professional (1 P-5, 2 P-4 and 2 P-3) and three General Service staff members. The Secretariat team would be coordinated by a staff member at the P-5 level who would also act as Secretary of the commission. Other Professional staff would be assigned to design a witness protection programme, develop a management information system, provide expertise in the field of international criminal and humanitarian law, review the issue of violence against women and other gender-related issues and liaise with other United Nations entities, intergovernmental organizations and non-governmental organizations. All Professional staff would contribute to the preparation of the report in their respective areas of expertise. General Service staff would be assigned information processing and secretarial duties. Of the eight staff members, four would travel to East Timor and the nearby region with members of the commission. They would be assisted by three international interpreters and two local interpreters. In addition, it is envisaged that commission members would be assisted by two consultants (forensic experts), to be based in East Timor. The commission of inquiry would meet twice at the headquarters of the Office of the United Nations High Commissioner for Human Rights at Geneva for seven days in order to consult, to analyse information gathered and compiled, and to draft a report providing the Secretary-General with its conclusions with a view to enabling him to make recommendations on future action. The field-based consultants would travel to the headquarters of the Office of the High Commissioner at the end of the investigation to assist in the finalization of the commission's report.

(b) The independent experts identified in paragraph 7 (a) of Commission resolution 1999/S-4/1 and members of the Working Group on Enforced or Involuntary Disappearances would undertake missions to East Timor to gather information on possible violations of human rights relating to their respective mandates. They would be accompanied by Secretariat staff members providing support to those mandates.

D. Additional requirements at full cost

8. The estimated full cost of the activities described above for the period November-December 1999 is itemized as follows:

	United States dollars	
I. Commission of Inquiry		
General temporary assistance		
1 P-5, 2 P-4, 2 P-3 and 3 General Service staff (2 months each)	146 600	
3 international interpreters (4 weeks each)	39 500	
2 local interpreters (4 weeks each)	11 200	197 300
Consultants (fee, travel and daily subsistence allowance)		
2 human rights specialists	56 900	
Travel (travel, daily subsistence allowance and terminal allowance)		
5 members of the Commission		
Travel to Geneva (2 missions, 7 days each)	69 200	
Travel to East Timor (2 missions, 14 days each)	63 100	
Travel of staff		
4 staff of the Office of the High Commissioner (2 missions, 14 days each)	47 700	
3 international interpreters (2 missions, 14 days each)	35 800	
Local travel	35 000	250 800

		United States dollars
General operating expenses[1]		
Acquisition of telephone and satellite equipment	26 000	
Acquisition of office automation equipment	23 000	
Communications	16 000	
Miscellaneous supplies and services	5 000	70 000
Grand total		**575 000**

II. Missions by independent experts and Working Group on Enforced or Involuntary Disappearances

General temporary assistance		
Interpreter (7 days)		3 290
Travel (travel, daily subsistence allowance and terminal allowance)		
Special Rapporteur on extrajudicial, summary and arbitrary executions (7 days in East Timor, 3 days at Geneva)	5 610	
Staff of the Office of the High Commissioner (7 days in East Timor)	5 430	
Representative of the Secretary-General on internally displaced persons (7 days in East Timor, 3 days at Geneva)	5 610	
Staff of the Office of the High Commissioner (7 days in East Timor)	5 430	
Special Rapporteur on the question of torture (7 days in East Timor, 3 days at Geneva)	5 610	
Staff of the Office of the High Commissioner (7 days in East Timor)	5 430	
Special Rapporteur on violence against women (7 days in East Timor, 3 days at Geneva)	5 610	

[1] Telephone and satellite and office equipment may be provided by the United Nations Mission in East Timor or the United Nations Transitional Administration in East Timor to the commission of inquiry, on a reimbursable basis.

	United States dollars	
Staff of the Office of the High Commissioner (7 days in East Timor)	5 430	
Members of the Working Group on Enforced or Involuntary Disappearances (7 days in East Timor, 3 days at Geneva)	28 010	
Staff of the Office of the High Commissioner (7 days in East Timor)	10 860	
1 interpreter (7 days in East Timor)	5 430	88 460
Grand total		**91 750**

E. Summary

9. Should the Economic and Social Council endorse resolution 1999/S-4/1, requirements of $666,750 would arise. The General Assembly would handle the financial aspects according to established procedures under agenda item 119 (Programme budget for the biennium 1998-1999).